5536911/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS - Registration and Stamps - Surprise check conducted on the officials of Sub-Registrar Office, Nuzivid, Krishna District on 07.08.2014 - Allegations of misconduct - Disciplinary action against Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District - Common disciplinary proceedings initiated - Articles of Charge framed - Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.105 Dated:08.02.2022
Read:-

G.O.Ms.No.65, Revenue (Vig-II) Department, dated 08.02.2022.

&

ORDER:

It is proposed to hold an inquiry against Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexures-III and IV).

3. Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District is directed to submit, within ten days of the receipt of this Order, a written statement of his defence.

4. Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District is further informed that if she does not submit his written statement of defence on or before the time specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to her service under Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District (Enclosed Annexures I to IV) through the Deputy Inspector General, Registration & Stamps, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government).

Copy to:
The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Andhra Pradesh, Vijayawada.
The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.
The Deputy Inspector General, Registration & Stamps, Vijayawada.
SF / SC

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI SURATH PHANI KUMAR, S/O S.V.V SATYANARAYANA RAJU, 42 YEARS, JUNIOR ASSISTANT, O/o SRO, NUZVID OF KRISHNA DISTRICT.

That Sri Surath Phani Kumar, S/o S.V.V.Satyanarayana Raju, 42 years, Junior Assistant, O/o SRO, Nuzvid, Krishna District, (herein after referred as Government Servant) while functioning as such during the period between 27.06.2013 to 07.08.2014 committed grave misconduct in as much as:

Article:

That Sri Surath Phani Kumar, Jr. Asst. O/o SRO, Nuzvid for having a share in the collected bribe amount of Rs.72,460/- which was collected through private persons/document writers, from the parties who came for registration of their properties. An amount of Rs.72,460/- was seized from the possession of the document writers and agents who were found inside of the Sub-Registrar office. The amount was collected by the document writers/agents from the general public who came for registration of their properties in order to hand over to SRO, himself and other staff.

Thus Sri Surath Phani Kumar, S/O S.V.V. Satyanarayana Raju Jr. Asst., O/O.S.R.O., Nuzividu of Krishna District, by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Govt. servant and brought down the prestige of the Government and there by violated / contravened of Rules 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI SURATH PHANI KUMAR, S/O. S.V.V SATYANARAYANA RAJU, 42 YEARS, JUNIOR ASSISTANT, O/o SRO, NUZVID OF KRISHNA DISTRICT.

Sri Surath Phani Kumar, S/o S.V.V.Satyanarayana Raju is a native of Arugolanu (V), Bapulapadu (M) of Krishna District. His date of birth is 11.11.1979. He entered into Government service as Junior Assistant on 20.04.2007 as Junior Assistant and promoted as Senior Assistant on 29.06.2018. He worked at O/o SRO, Nuzvid from 27.06.2013 to 29.06.2018.

Charge:

Sri Surath Phani Kumar, Jr. Asst. O/o SRO, Nuzvid for having a share in the collected bribe amount of Rs.72,460/- which was collected through private persons/document writers, from the parties who came for registration of their properties.. An amount of Rs.72,460/- was seized from the possession of the document writers and agents who were found inside of the Sub-Registrar office. The amount was collected by the document writers/agents from the general public who came for registration of their properties in order to hand over to SRO, himself and other staff.

Facts and Evidence:

Brief facts are that on credible information that the Sub-Registrar and the staff of the office of Sub-Registrar, Nuzvid were indulging in corrupt practices by way of collecting bribe mamools (bribe) as commissions from the persons, who approach for registration in their office through the document writers and agents, the DSP ACB, Vijayawada organized a Surprise Check in the said office along with his staff in the presence of two mediators on 7.8.2014 from 16.00 hrs, to 7/8.08.2014 at 01.30 hrs.

During the said surprise check, the DSP, ACB, Vijayawada disclosed his identity to the inmates of the office, on enquiry a female person Smt. KocherlakotaUsha Rani W/o late Mohanarao, Senior Assistant, O/o SRO, Nuzvid, Krishna District informed that at about 12.30 hrs, Sri KKV BhaskaraRao, Sub-Registrar left to attend personal work at Vijayawada by applying half day leave by keeping her as in charge.

The surprise check party separated the general public, who came for registration of documents from document writers/agents after duly ascertaining their particulars. Under the supervision of DSP, the search party searched the document writers/ agent and found cash in their possession as mentioned hereunder.

S.No.	Name and address	Profession	Cash found
1.	Sri Pandrangi Ravi Sundar Chandra Sekhar s/o SubbaRao, r/o Konerupet, Nuzvid (9948790369)	Stamp Vendor cum Document Writer	10,060/-
2.	Sri Malugu Achari s/o Narasimhachari, 40 years, Document writer, r/o D.No. Gandhi Nagar, Nuzvid (9908884835)	Document Writer	3,100/-
3.	Sri Mahamood Ali Abbash s/o Ali, r/o D.No. 18-41, Ammavari Thota, Nuzvid (9848633200)	Document Writer	5,500/-
4.	Sri Gollanapalli Muchi Venkata Prabhakar s/o Venkata Krishna Rao, VRO, r/o D.No. 15-92 Pothineedipalli, RR Pet, Nuzvid, (9885441422)	Document Writer	1270/-
5.	Sri Tadepalli Naga Raghu Narasimha Murthy s/o Subba Rao, r/o D.No. 21-61, Pathapet, Nuzvid, (9440166269)	Document Writer	5750/-

Contd.,2

6.	Sri Gollanapalli Buchi Venkata Gavara Raju s/o Surya Prakasa Rao, r/o Ramayammaraopet,Nuzvid, (9948543947)	Document Writer	20,550/-
7.	Sri Golla Srinivasa Rao s/o Rama Rao, r/o D.No. 5-169, Opp: High School Road, Nuzvid (9000858665)	Agent	2,080/-
8.	Sri Thorllikunda Uma Mahendra s/o Koteswara Rao, R/o D.No. 6/125/A, Swapna Theater Back, Nunna (9985299942)	Agent	3,790/-
9.	Sri Peddiboina Naga Durga Rao s/o Kondala Rao, r/o D.No. 9-113, Gandhi Nagar, Nuzvid (9505513143)	Agent	2,710/-
10.	Sri Koppaka Raraju s/o Nagaiah, Velupu Cherlla, Musunuru Mandal, (9701650324)	Agent	1,350/-
11.	Sri Vazeed Khan s/o Vahadulla Khan, Photographer cum agent r/o D.No. 4-36, Dumdum garden, Nuzvid, (9247486316)	Agent	2,550/-
12.	Sri Kodavali Sathish s/o Yacob, R/o Musunuru Mandal, Krishna District	Agent	1,900/-
13.	Sri Golla Srinivasa Rao s/o Ram Babu, Annavaram, Nuzvid (8008731632)	Agent	10,150/-
14.	Sri Koppaka Ananada Kumar s/o Subba Rao, r/o Velpucharlla Village, Musunuru Mandal, Krishna District (7799216217).	Agent	1,700/-
	Total		**72,460/-**

After ascertaining that persons mentioned at S.Nos. 1 to 6 persons are found to be document writers and from S.No.7 to 14 are private agents, the DSP seized the unaccounted amount Rs.72,460/- possessed by them in the presence of mediators suspecting that they are the mamools collected from the claimants in order to give to the staff of Registrar Office, Stamps & Registration Department, Nuzvid and examined them.

On perusal of certain Registers, the details are as follows;

1) Account 'A' Register:

It is book vol. No. 101 and being maintained from 16.04.2014 vide Doc. No. 1834/2014 to till date vide Doc. S.No. 5628/2014. On Thursday, total 36 documents were registered such as 30 sale registrations, 2 gift registrations vide Doc. Nos. 5600 & 5609/2014, one mortgage cancellation document vide Doc. No. 5595/2014 and three mortgage documents vide Nos. 5594, 5605 & 5625/2014 were made entries.

On physical verification, with Account 'A' Register all the 36 documents were found and tallied.

2) Account 'B' Register:

It is being maintained from 01.01.2014 upto August'2014 vide Vol. No. 28 containing 90 pages, written up to 4th page only. The last entry was made on 16.07.2014 for filing of attested power for an amount of Rs.10/-.

3) Account 'C' Register:

It is being maintained from 07.12.2011 to 31.07.2014, containing 172 pages, written up to 36 pages.

Contd.,3

4) Account 'D' Register:

It is Vol. No. 63 being maintained from 27.06.2013 till the day of Surprise Check vide single search No. 1142/2014. As per the register, cash on hand was Rs.200/- and when compared with the cash available in right side table drawer of Smt. K. Usha Rani, Senior Assistant, it is found tallied.

5) Account 'G' Register:

It is vol. No. 33 and is being maintained from 28.09.2011 to 06.08.2014 containing -90 pages, written up to 43 pages. The last entry was made on 06.08.2014.

6) Account 'H' Register:

It is being maintained from 29-04-2013 to 06.08.14 containing -90 pages written up to 31 pages. Last entry was made on 06.08.2014.

7) Stamp counter Sale Registers:

a) Special Adhesive Stamps stock Register: Being maintained. It contained 90 pages, written up to 7 pages, the last entry was made on 07.08.2014 and found stamps sales of Rs. 3040/-.

b) Non Judicial Stamps Register: Being maintained. It contained 286 pages, written up to 223 pages, the last entry was made on 07.08.2014 and found non judicial stamps sale amount of Rs.1000/-

The total of Rs.4,040/- was found with the Sharaff Sri Poreddy Poornna Reddy and on physical verification it found tallied.

8) Personal Cash Declaration Register:

Being maintained. It contained names and the amounts mentioned against each such as: 1) S/Sri KKV Bhaskara Rao, Sub-Registrar, 2) Smt. K. Ushan Rani, Sr. Asst, 3) S. Phani Kumar, Jr. Asst, 4) Kum. K. Suryakala, Jr. Asst., 5) MAK Rizwan, Jr. Asst, 6) P. Purna Reddy, Sharaff and 7) Adinarayana, Office Sub-ordinate declared as 1) Rs. 340/-, 2) Rs.315, 3) Rs.180, 4) Rs.180, 5) Rs.80, 6) Rs.100 & 7) Rs.150 respectively. On physical verification all the persons except Sub-Registrar are in possession of amounts less than the amounts declared as above. Hence their amounts were returned to the concerned.

9) Attendance Register

It is being maintained from January, 2014 to till the day of Surprise Check vide Vol. No. 85 and in the office one Sub-Register, one Sr. Asst., 3 Jr. Assts, one Sharaff and two Office Sub-ordinates were working as per the attendance register, but one office sub-ordinate Smt. P. Umamaheswari was on deputation to SRO, Mylavaram. AS per the register all the officials marked as present, but except the Sub-Registrar all others were present. A leave letter of Sub-Registrar was found in this register addressed to the District Registrar, Vijayawada (East) with a request to sanction ½ day leave to attend his personal work at Vijayawada, which was not sanctioned. The Attendance Register along with the leave letter was seized by the DSP for further enquiry, after duly attested by us and the DSP.

Photostat copies of the relevant pages of concerned registers were taken by the DSP duly signed by mediators and the DSP.

On examination, Sri G.Srinivasa Rao stated that he had been working as District Registrar, Registration & Stamps Department, Vijayawada East, Krishna district since July, 2012. The Sub Registrar Office, Nuzvid, Krishna District comes under his jurisdiction and Sri K.K.V Bhaskara Rao was working as Sub Registrar, Nuzvid for two

Contd.,4

years. He then explained about the maintenance of registers and procedures. The District Registrar further stated that on that day i.e., on 7-8-2014, the Sub Registrar, Sri K.K.V.Bhaskara Rao neither obtained permission from him in writing nor informed over phone about applying half day leave to attend his personal work at Vijayawada and left the office by keeping his leave letter in the attendance register. It is also irregular on the part of sub registrar leaving the sub registrar office unauthorizedly without prior permission from his higher officials, when the registration work was heavy when compared to normal days. It is also irregular on part of SRO and staff in allowing unauthorized private persons in the SRO office and also collecting mamools/bribes through them, from the public, who approach the Sub-Registrar Office for registrations etc.

The G.S. having a share in the collected bribe amount of Rs.72,460/- which was collected through private persons/document writers, from the parties who came for registration of their properties etc.

The Government of Andhra Pradesh Revenue (VIG.VI) Department in Memo No.40254/VIG.VI(1)/2008-1 dated 29-09-2008 issued instructions with respect to preventive measures to arrest corruption and other irregularities, wherein it is clearly mentioned at Serial No.5 that engaging private persons and collection of Mamools and allowing document writers to enter into Sub-Registrar Offices should not be allowed and severe action will be taken against the erring officials.

As per the Memo No.X2/10708/1994 by the O/o Commissioner and Inspector General of Registration & Stamps, AP, Hyderabad dated 30-12-1997, the Commissioner and Inspector General, Registration & Stamps issued certain instructions to the Registrars and Deputy Inspector General that in all cases of Surprise Check, where unaccounted cash is found in the premises of the office and with the unauthorized persons, the normal presumption shall be that it is illegal amount obtained as bribe from the parties. Therefore, the onus of disproving the same will be on the Charged Officer. In all cases where charges are held proved in cases of this type, stringent punishment shall be awarded including removal from service.

Thus, the said Sri Surath Phani Kumar, when worked as Junior Assistant, O/o SRO, Nuzvid, Krishna by his above mentioned acts, exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service by contravened Rules 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action for major Penalty.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -III

List of documents by which the articles of charge framed against Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District are proposed to be sustained.

1. Surprise Check proceedings Dt.07.08.2014, drafted at the office of SRO, Nuzvid.
2. Attendance Register of the O/o SRO, Nuzvid, Krishna District.
3. Govt. Memo No.40254/VIG.VI(1)/2008-1 dated 29-09-2008 of Revenue (Vig.VI) Department.
4. Circular Memo No.X2.10708/1994 issued by the office of the Commissioner and Inspector General of Registration & Stamps, AP, Hyderabad, Dt.30.12.1997.
5. Any other document to be filed at the time of enquiry.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -IV

List of witnesses by whom the articles of charge framed against Sri S.Phani Kumar, Junior Assistant, O/o Sub Registrar, Nuzivid, Krishna District are proposed to be sustained

1. Sri Pandrangi Ravi Sundar Chandra Sekhar S/o Subbarao, R/o Konerupet, Nuzvid. (Document Writer).
2. Sri Malugu Achari s/o Narasimhachari, 40 years, Document writer, r/o D.No. Gandhi Nagar, Nuzvid (Document Writer).
3. Sri Mahamood Ali Abbash s/o Ali, r/o D.No. 18-41, Ammavari Thota, Nuzvid (Document Writer).
4. Sri Gollanapalli Muchi Venkata Prabhakar s/o Venkata Krishna Rao, VRO, r/o D.No. 15-92 Pothineedipalli, RR Pet, Nuzvid (Document Writer).
5. Sri Tadepalli Naga Raghu Narasimha Murthy s/o Subba Rao, r/o D.No. 21-61, Pathapet, Nuzvid (Document Writer).
6. Sri Gollanapalli Buchi Venkata Gavara Raju s/o Surya Prakasa Rao, r/o Ramayammaraopet, Nuzvid (Document Writer).
7. Sri Golla Srinivasa Rao s/o Rama Rao, r/o D.No. 5-169, Opp: High School Road, Nuzvid (Agent).
8. Sri Thorllikunda Uma Mahendra s/o Koteswara Rao, R/o D.No. 6/125/A, Swapna Theater Back, Nunna (Agent).
9. Sri Peddiboina Naga Durga Rao s/o Kondala Rao, r/o D.No. 9-113, Gandhi Nagar, Nuzvid (Agent).
10. Sri Koppaka Raraju s/o Nagaiah, VelupuCherlla, Musunuru Mandal (Agent).
11. Sri Vazeed Khan s/o Vahadulla Khan, Photographer cum agent r/o D.No. 4-36, Dumdum garden, Nuzvid (Agent).
12. Sri Kodavali Sathish s/o Yacob, R/o MusunuruMandal, Krishna District (Agent).
13. Sri Golla Srinivasa Rao s/o Ram Babu, Annavaram, Nuzvid (Agent).
14. Sri Koppaka Ananada Kumar S/o Subba Rao, r/o Velpucharlla Village, Musunuru Mandal, Krishna District (Agent).
15. Sri G.Srinivasarao, the then District Registrar, Vijayawada East, Krishna District.
16. Sri Ravi Rajesh Kumar S/o Immanuel Raju, AMVI, O/o DTC, Vijayawada (Mediator-1).
17. Sri Maddhala Ravi Kumar S/o Janardhanarao, HG 399, O/o DTC, Vijayawada (Mediator-2).
18. Sri B.Srinivas, the then Inspector, now Dy. Supdt. of Police, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.
19. Sri R.Vijaya Paul, the then Dy. Supdt. Of Police, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.
20. Any other witness to be mentioned at the time of enquiry

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER